

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER PEREZ,) Case No.: 1:25-cv-0162 JLT HBK
Plaintiff,)
v.) ORDER ADOPTING THE FINDINGS AND
CPL. BECK, et al.,) RECOMMENDATIONS, DISMISSING THE
Defendants.) ACTION FOR FAILURE TO STATE A CLAIM,
) AND DIRECTING THE CLERK OF COURT TO
) CLOSE THIS CASE
)
) (Doc. 17)
)

Christopher Perez seeks to hold the defendants liable for violations of his civil rights at Madera County Jail. (*See generally* Doc. 17.) The magistrate judge screened Plaintiff's second amended complaint pursuant to 28 U.S.C. § 1915A(a) and found he failed to state a cognizable claim under federal law. (*Id.* at 4-10.) Because the Court previously provided the applicable legal standards and Plaintiff failed to cure the pleading deficiencies, the magistrate judge found further leave to amend would be futile. (*Id.* at 11.) The magistrate judge observed that Plaintiff also "stated claims of negligence throughout his complaint." (*Id.*) Because Plaintiff failed to state a claim under federal law, the magistrate judge recommended the Court decline to exercise supplemental jurisdiction over the state claims. (*Id.*)

The Court served the Findings and Recommendations on Plaintiff and notified him that any objections were due within 14 days. (Doc. 17 at 12.) The Court advised him that the "failure to file objections within the specified time may result in the waiver of rights on appeal." (*Id.*, citing *Wilkerson*

1 v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014).) Plaintiff did not file objections, and the time to do
2 so has passed.

3 According to 28 U.S.C. § 636(b)(1), this Court performed a *de novo* review of this case.
4 Having carefully reviewed the matter, the Court concludes the Findings and Recommendations are
5 supported by the record and proper analysis. Because the Court declines supplemental jurisdiction,
6 dismissal of Plaintiff's negligence claims under state law will be without prejudice. *See Gini v. Las*
7 *Vegas Metro. Police Dep't*, 40 F.3d 1041, 1046 (9th Cir. 1994) (dismissal of state claims based on
8 declining supplemental jurisdiction should be without prejudice). Thus, the Court **ORDERS**:

- 9 1. The Findings and Recommendations dated August 11, 2025 (Doc. 17) are **ADOPTED**.
- 10 2. Plaintiff's second amended complaint is **DISMISSED** without further leave to amend,
11 for failure to state a claim.
- 12 3. The Court **DECLINES** supplemental jurisdiction over Plaintiff's state law claims.
- 13 4. Plaintiff's claims under state law are **DISMISSED** without prejudice.
- 14 5. The Clerk of Court is directed to close this case.

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16 IT IS SO ORDERED.

17 Dated: September 4, 2025


UNITED STATES DISTRICT JUDGE

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